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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/764,098	01/23/2004	Yoshihiro Akiyama	MM4667	8246

1109 7590 03/24/2006

ANDERSON, KILL & OLICK, P.C.  
1251 AVENUE OF THE AMERICAS  
NEW YORK,, NY 10020-1182

EXAMINER
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NGUYEN, SANG H

ART UNIT	PAPER NUMBER
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2877

DATE MAILED: 03/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/764,098

Applicant(s)

AKIYAMA, YOSHIHIRO

Examiner

Sang Nguyen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) 7 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 07/01/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Election/Restrictions***

Applicant's election without traverse of Group I (claims 1-6) in the reply filed on 02/27/06 is acknowledged.

**Applicant should canceled non-elected claim 7.**

***Priority***

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

***Information Disclosure Statement***

The information disclosure statement (IDS) submitted on 07/01/04 has been entered. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

***Oath/Declaration***

The oath/declaration filed on 01/23/04 is acceptable.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims ~~~are rejected under 35 U.S.C. 103(a) as being unpatentable over Akiyama et al (U.S. Patent No. 6,560,024) in view of Hanabusa et al (JP 09 113 361).**

**Regarding claims 1 and 2;** Akiyama et al discloses an appearance inspection apparatus for inspecting the appearance of a body comprising:

a scanning head (16 of figure 4) for scanning the body substrate (1 of figure 4) to be inspected; and

a main unit (12 of figure 4) for controlling the inspection apparatus considered to be a test unit (14 of figure 4) and said scanning head (16 of figure 4);

wherein said scanning head (16 of figure 4) further comprises:

a lighting unit (30 of figures 4 and 6) having multiple light sources (100, 102 of figure 6) for projecting light onto a surface of said body (1 of figure 6) to be inspected; and

a one-dimensional sensor (34 of figure 4 and col.5 line 67 to col.6 line 2) for detecting light reflected (figure 4) from said surface of said body (1 of figure 4) to produce image data (figures 3A-3B); and

wherein said main unit (12 of figure 2) further comprises:

a head control unit(40 of figure 4) for providing a control signal (50 of figure 4) to said lighting unit (30 of figure 4) for switching said multiple light sources (100, 102 of figure 6) into different lighting states (col.6 lines 12-26 and col.9 lines 24-30 and figures 15-16) and for controlling the relative motion of said scanning head (16 of figure 4) by a motor (20 of figure 4) relative to said body (1 of figure 4);

a memory control unit (42 of figure 4) for storing in memory image data (54 of figure 4) produced by said one-dimensional sensor (34 of figure 4); and

an analysis unit (46 of figure 4) for correcting shading in said image data in accordance with the different lighting states (figures 15-16) switched by said head control unit (14 of figure 4) to obtain an appearance inspection image of said body (1 of figure 4) to be inspected. See figures 1-16.

U.S. Patent May 6, 2003 Sheet 4 of 12 US 6,560,024 B2

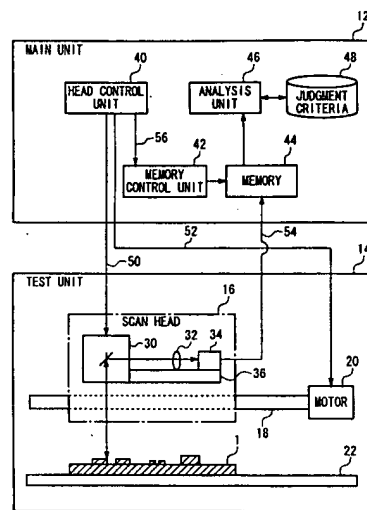
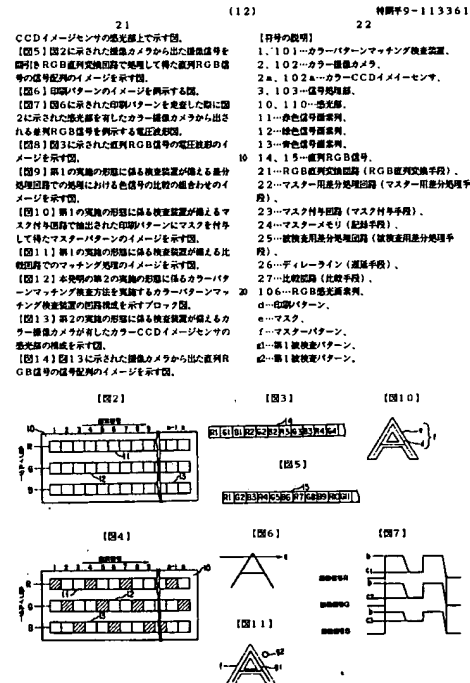


Fig. 4



Akiyama et al discloses all of features of claimed invention except for the sensor comprises at least a plurality of arrays of multiple arrays of multiple image capturing elements corresponding to three (RGB) colors. However, Hanabusa et al teaches that it is known in the art to provide inspection of color pattern apparatus comprises a color CCD image sensor (2a of figure 1) for inspecting the object (8 of figure 1), wherein the sensor (2 of figure 1 or 10 of figure 2) comprises at least a plurality of arrays of multiple

arrays (11, 12, 13 of figure 2) of multiple image capturing elements as three RGB colors (figures 2 and 4).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine Akiyama et al's inspection apparatus with one dimension sensor comprises at least a plurality of arrays of multiple arrays of multiple image capturing elements corresponding to three (RGB) colors as taught by Hanabusa et al for the purpose of reducing the scale of installation space and reducing low cost.

**Regarding claim 3;** Akiyama et al discloses said main unit (12 of figure 4) further comprises a correction value memory unit considered to be a judgment criteria (48 of figure 4 and col.6 lines 28-50) for storing digital correction values as a table for each array of image capturing elements of one dimension sensor (34 of figure 4). Akiyama et al teaches all of features of claimed invention except for each array of the RGB image. However, Hanabusa et al teaches that it is known in the art to provide inspection of color pattern apparatus comprises a color CCD image sensor (2a of figure 1) for inspecting the object (8 of figure 1) with multiple image capturing elements as three RGB colors (figures 2 and 4). It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine Akiyama et al's inspection apparatus with each array of RGB image as taught by Hanabusa et al for the purpose of reducing the scale of installation space and reducing low cost.

**Regarding claim 4;** Akiyama et al discloses said correction values of judgment criteria storing unit (48 of figure 4) are utilized to correct shading corresponding to each

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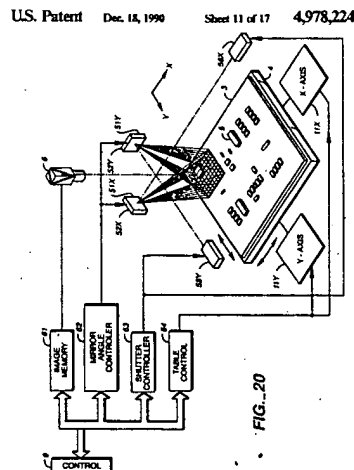
lighting state of said lighting unit (30 of figure 4) and wherein said analysis unit (46 of figure 4) corrects shading of said image data with reference to said table kept in said correction value memory unit (48 of figure 4).

**Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Akiyama et al in view of Hanabusa et al as applied to claims 1-2 above, and further in view of Kishimoto et al (U.S. Patent No. 4,978,224).**

**Regarding claims 5-6;** Akiyama et al in view of Hanabusa et al discloses said multiple light sources (100, 102 of figure 6) of said lighting unit (30 of figures 4 and 6) include: a side light source (102 of figure 6), which projects light onto the surface of said body (1 of figure 6) to be inspected at an angle (col.7 lines 5-10). Akiyama et al discloses all of features of claimed invention except for a slit light source, which projects a slit light at an angle, wherein said head control unit alternately switches said slit light source for lighting said surface. However, Kishimoto et al teaches that it is known in the art to provide apparatus for inspecting mounting of chip components on the substrate comprises a slit light source (51Y, 51X of figure 20) for projecting a slit light at an angle (figures 1 and 20) to a printed circuit board (3 of figure 20), wherein said head control unit considered to be controller (9 of figure 20) for alternately switching said slit light source (51Y, 51X of figure 20) for lighting said surface of the printed circuit board (3 of figure 20). It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine Akiyama et al's inspection apparatus with a slit light source, which projects a slit light at an angle, wherein said head control unit alternately switches said slit light source for lighting said surface as taught by Kishimoto et al for

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the purpose reducing the time required for determining end points and reducing the brightness to the surface.



### Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Keithley (2003/0031362) discloses method and apparatus for reproducing sepia-tone images; Jones et al (6678402) discloses automated document processing system using full image scanning; Hiromatsu (5880859) discloses image reading apparatus; Suzuki et al (5191441) discloses image reading device; Hirota (5130820) discloses image processing device; or Hasmetner et al (4947666) discloses method and apparatus for bending an elongate workpiece.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sang Nguyen whose telephone number is (571) 272-2425. The examiner can normally be reached on 9:30 am to 7:00 pm.



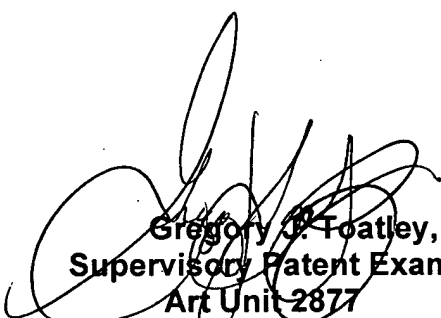
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory J. Toatley, Jr. can be reached on (571) 272-2800 ext. 77. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

March 16, 2006

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